

UNITED STATES DISTRICT COURT
THE DISTRICT OF SOUTH CAROLINA

Walter Clinton Batchelor,

Plaintiff,

V.

Dr. Drago; Nurse Stokes; Nurse Spivey;
Nurse Smith; Dr. Tomarchio; Warden
Eagleton; SCDC Director Byars, Warden
McCall, and Dr. Pate, Dr. Moore,

Defendants.

C/A No. : 5:12-2585-DCN-KDW

ORDER

Plaintiff, proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983. On January 24, 2012, the court granted Plaintiff's motions to amend his complaint and Dr. Thomas Moore was added as a Defendant in this case. ECF No. 113. Plaintiff was advised that he had 14 days from the date of the order to provide the Clerk of Court with an updated summons and Form USM-285 with Dr. Thomas Moore's correct name and street address so that Dr. Thomas Moore could be served with Plaintiff's Amended Complaint pursuant to Rule 4 of the Federal Rules of Civil Procedure. To date, Plaintiff has failed to provide the Clerk of Court with the completed summons and Form USM-285. Based on the foregoing, it appears Plaintiff no longer wishes to pursue this action against Dr. Thomas Moore.

Therefore, IT IS ORDERED that Plaintiff shall have through March 5, 2013 to provide the Clerk of Court with an updated summons and Form USM-285 with Dr. Thomas Moore's correct name and street address for service of process. Plaintiff is further advised that if he fails to respond, this action against Dr. Thomas Moore will be recommended for

dismissal without prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style.

February 13, 2013
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge